

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-32 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Allowable Subject Matter

It is gratefully acknowledged that the Examiner consider the subject matter of claims 2, 5, 15-17, 20 and 30-32 as being allowable if re-written in independent form. Applicants have not yet re-written these claims in independent form since the independent claims form which they depend have now been amended making them allowable as well.

Rejection Under 35 USC 102

Claims 1, 3, 4, 6-8, 12-14, 18, 21-23 and 27-29 stand rejected under 35 USC 102 as being anticipated by Hasegawa et al. (US Publication 2003/0072229). This rejection is respectfully traversed.

The Examiner states that Hasegawa et al. shows a recording method which locates a starting position of a succeeding recording operation after a condition of interruption occurs. The Examiner specifically refers to embodiment four in paragraphs [0098] – [0101]. The Examiner states that the method teaches recording a special pattern for which the Examiner refers to paragraph [0100] and the subcode sync signal which is recorded before the recording is interrupted. As to the step of locating the starting position, the Examiner refers to paragraph [0100]. The Examiner further states that the recorded data signal is obtained from an optical storage medium and states that the detection of the subcode is described in paragraph [0079]. The detection signal is enabled as described in paragraph [0079], enabling of the recording laser is described in paragraph [0100] and performing seating recording for the delay of laser enabled time is inherent. Applicants disagree with the Examiner that the present claims are anticipated by the reference.

Applicants have now amended independent claims 1 and 18 to make it clear that the initial stop detects whether the condition of interruption occurs and then only if the condition of

interruption occurs is the special pattern recorded. This recording of the special pattern occurs after the pattern of interruption occurs and before the recording operation is interrupted. This interruption is described at the bottom of page 7 where the control unit 32 detects the condition that the recording process is to be interrupted and then the control unit outputs the special pattern as well as the control signal to the multiplexer 35 before the recording process is interrupted. Thus, it is seen that the control detects the condition of interruption and controls the recording of the special pattern. Further, it is seen in Figures 5 and 6, the special pattern is reported only if the condition of interruption occurs.

The Examiner refers to paragraph [0100] which describes the device according to the fourth embodiment. The CD encoder outputs a subcode sync-recording timing signal when the encoder outputs a pattern data or recording a subcode sync. The data recording device controlling section interrupts the recording by stopping various portions thereof immediately after the subcode sync is recorded in response to the timing signal. Thus, Hasegawa only teaches the interruption of the recording operation immediately after recording the subcode sync. It does not teach recording of the subcode sync after the interruption. Thus, this reference fails to teach that the special pattern is recorded after the pattern of interruption occurs and before the recording operation is interrupted.

This can be seen in Figures 5 and 6 and the paragraphs on pages 8 and 9 which describe these Figures. As stated there, the optical disc drive detects the condition of interruption according to the first time point so that the recording process is interrupted. The control unit outputs the special pattern of the second time point disabling the modulator from outputting the recording EFM signal and controls the multiplexer 35 to select and output the special pattern.

Similarly, in regard to claim 6, it is described that the disc drive detect the condition of interruption and the recording process will be interrupted. A second time point, the control unit outputs the special pattern and controls the multiplexer to select and output the special pattern. From this, it can be seen that the special pattern is selectively recorded according to the condition of interruption. Thus, if there is no interruption, the special pattern is not recorded and the recording procedure is performed normally. Only if the recording is interrupted is the special pattern recorded. This differs from Hasegawa et al. which teaches that the subcode sync is

recorded before the interruption but does not teach the detection mechanism or recording of the subcode sync only if the condition of the interruption occurs. For these reasons, Applicants submit that claim 1 is not anticipated by Hasegawa et al. since the reference does not teach these features.

Similarly, claim 18 has been amended to include corresponding limitations. Thus, claim 18 describes that the recording interruption generating module detects whether the condition of interruption occurs and enables the interruption enable signal only when the condition of interruption occurs. Applicants submit that claim 18 is similarly allowable for the same reasons discussed above in regard to claim 1.

Claims 2-17 and 19-32 depend from these allowable independent claims and as such are also considered to be allowable. In addition, each of these claims recite other features that make them additionally allowable. In particular, the Examiner has already indicated that dependent claims 2, 5, 15-17, 20 and 30-32 are allowable.

Rejection Under 35 USC 103

Claims 9-11 and 24-26 stand rejected under 35 USC 103 as being obvious over Hasegawa et al. The Examiner admits that Hasegawa et al. does not disclose using the address information prerecorded on the optical storage medium. The Examiner feels it would have been obvious to use address information prerecorded on the optical storage medium instead of address information on the recording data since they achieve the same result.

Applicants submit that even if the Examiner is correct that this feature would be obvious, Applicants submit that these claims remain allowable based on their dependency from allowable independent claims 1 and 18.

Claims 19 stands rejected under 35 USC 103 as being obvious over Hasegawa et al. in view of Pan (US Publication 2002/00478240). This rejection is respectfully traversed.

The Examiner states that Hasegawa et al. does not disclose a subtractor and a delay enabling unit. The Examiner relies on Pan to show that the recording start position must be advanced by a composition value to avoid data grabbing errors. The Examiner feels it would

have been obvious of one ordinary skill in the art to advance the recording start position in Hasegawa et al. by a compensation value as taught by Pan.

Applicants submit that even if the Pan reference teaches this feature, that claim 19 remains allowable based on its dependency from allowable claim 18.

Conclusion

In view of the above remarks, it is believed that claims clearly distinguish over the patents relied on by the Examiner. In view of this, reconsideration of the rejections and allowance of all the claims is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse Reg. No. 27,295 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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